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PATENT  
Attorney Docket No.: 022122-000410US

IPU

July 13, 2004  
TOWNSEND and TOWNSEND and CREW LLP

Mark T. Davis

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

BRIAN N. PIERCE

Application No.: 10/789,948

Filed: February 26, 2004

For: DISINFECTION, DESTRUCTION  
OF NEOPLASTIC GROWTH, AND  
STERILIZATION BY DIFFERENTIAL  
ABSORPTION OF  
ELECTROMAGNETIC ENERGY

Examiner: Not Yet Assigned

Art Unit: 1617

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

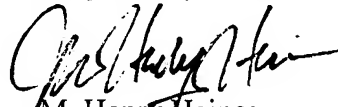
Sir:

The references cited on attached form PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 08/844,144, filed April 18, 1997 now U.S. Patent No. 5,820,820 issued October 13, 1998, and Application No. 10/138,350, filed May 3, 2002 (Attorney Docket No. 022122-000200US and 022122-000310US respectively). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

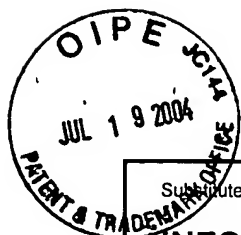
Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



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60257932 v1



Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)			<b>Complete if Known</b>	
			Application Number	10/789,948
			Filing Date	February 26, 2004
			First Named Inventor	Pierce, Brian N.
			Art Unit	1617
			Examiner Name	Not Yet Assigned
Sheet	3	of	Attorney Docket Number	022122-000410US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	AA	US-2,051,057	08-1936	Pettit	
	AB	US-2,312,368	03-1943	Smith	
	AC	US-2,428,090	09-1947	Naeher et al.	
	AD	US-2,485,660	10-1949	Robertson	
	AE	US-3,494,724	02-1970	Gray	
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	AH	US-4,170,997	10-1979	Pinnow et al.	
	AI	US 4,416,908	11-1983	McKinney et al.	
	AJ	US-4,469,098	09-1984	Davi	
	AK	US-4,640,283	02-1987	Sawa et al.	
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	AM	US-4,836,203	06-1989	Muller et al.	
	AN	US 4,880,512	11-1989	Cornelius et al.	
	AO	US-4,920,978	05-1990	Colvin	
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	AQ	US-5,186,181	02-1993	Franconi et al.	
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	AX	US-5,707,401	01-1998	Talmore	
	AY	US 5,820,820	10-1998	Pierce	
	AZ	US 5,881,534	03-1999	Ahlqvist et al.	
	BA	US-5,993,442	11-1999	Omori	
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	BE	US-6,106,521	08-2000	Blewett et al.	
	BF	US-6,110,195	08-2000	Xie et al.	
	BG	US-6,162,213	12-2000	Stewart	
	BH	US-6,267,779	07-2001	Gerdes	
	BI	US 6,268,200	07-2001	Tucker et al.	
	BJ	US-2002/0002391	01-2002	Gerdes	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.



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			Filing Date	February 26, 2004	
			First Named Inventor	Pierce, Brian N.	
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			Examiner Name	Not Yet Assigned	
Sheet	4	of		Attorney Docket Number	022122-000410US

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	BK	DE	4119149	11-1992			<input type="checkbox"/>
NON PATENT LITERATURE DOCUMENTS							
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					T <sup>2</sup>
	BL	DOWELL, Floyd E. et al.; "Automated Nondestructive Detection of Internal Insect Infestation of Wheat Kernels by Using Near-Infrared Reflectance Spectroscopy"; 1998, <u>J. Econ. Entomology</u> , Vol. 91, No. 4, pp. 899-904.					
	BM	DOWELL, Floyd E. et al.; "Identifying Stored-Grain Insects Using Near-Infrared Spectroscopy"; 1998, <u>J. Econ. Entomology</u> , Vol. 92, No. 1, pp. 165-169.					

Examiner Signature		Date Considered	
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